

Coral Miller

Montana Agricultural Heritage Program

STATE SENATE, MONTANA
SENATE NO. 12
DATE 2-19-07
SB 452

- The Montana Agricultural Heritage Act was passed by the 1999 Legislature in recognition of the growing need to protect Montana's rural and natural heritage.
- It created the Montana Agricultural Heritage Program to contribute state funding toward the purchase of agricultural conservation easements on family farms, ranches, and forestlands with significant public values.
- The program was directed by the Montana Agricultural Heritage Commission, a 12 member citizen council appointed by the governor and the legislature that oversaw the distribution of these state funds.
- Landowners interested in placing an agricultural easement on their property applied for a grant to be considered by the commission.

The commission considered a number of criteria to determine whether a landowner applying to the program would receive funding. Notable considerations include:

- whether important natural or public values are found within the family farm, ranch, or forest property
- the threat of conversion of the property from traditional agricultural use
- the positive impacts on long-term agricultural productivity and perpetuation both within and beyond the boundaries of the proposed agricultural easement
- whether a property provides for landscape and watershed integrity to conserve water quality and natural resources
- whether a property provides habitat for native wild species, including important, rare, or sensitive species
- the degree to which state funds are matched with additional public or private funds

The following options were available to any landowner interested in a grant to establish an easement:

- selection of a lump-sum or annual cash payments
 - negotiation of a perpetual or a renewable term easement
 - retention of limited residential development rights
- In its first year of operation, the commission received 22 applications, requesting over \$3.5 million in grants. Of these requests, the commission approved eight grants, for a total of \$888,000. This figure was matched by \$6.6 million additional dollars from various federal and private sources, including the participating landowners themselves. In other words, each state dollar was matched by 7 dollars from other sources.
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Montana Agricultural Heritage Commission

Commission Member

Randy Smith, Chair (Glen)
Chris King (Winnett)
Paul Gatzemeier (Butte)
Charles Jarecki (Polson)
Thorn Liechty (Evaro)
Cecelia Reiner (Bozeman)
Steve Luebeck (Butte)
Art Neill (Whitehall)
Jack Dietrich (Billings)
Dennis DeVries (Polson)
Ken Maki (Belt)
Bob Dompier (Great Falls)

Representing...

Family Farming/Ranching
Family Farming/Ranching
Montana Senate
Montana House of Representatives
Forest Landowner/Organization
Statewide Real Estate/Building Organization
Statewide Conservation Organization
Statewide Conservation Organization
Land Trust
Conservation District
Statewide Agricultural Organization
Statewide Travel/Tourism Organization

1999 Montana Legislature

About Bill -- Links

SENATE BILL NO. 342

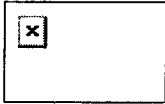
INTRODUCED BY D. HARGROVE, C. AHNER, S. ANDERSON, J. BARNETT, T. BECK, D. BERRY, J. BOHLINGER, C. CHRISTIAENS, V. COCCHIARELLA, M. COLE, B. CRIPPEN, R. DALE, B. DEPRATU, G. DEVLIN, S. DOHERTY, D. ECK, A. ELLIS, E. FRANKLIN, L. GRINDE, L. GROSFIELD, M. HALLIGAN, J. HARP, J. HERTEL, C. HIBBARD, R. HOLDEN, R. JABS, M. MCCANN, L. MCCULLOCH, W. MCNUTT, J. MERCER, K. MESAROS, A. MOHL, L. NELSON, K. OHS, J. QUILICI, S. ROSE, G. ROUSH, D. SHEA, P. SLITER, M. SPRAGUE, S. STANG, E. SWANSON, C. SWYSGOOD, B. TASH, M. TAYLOR, J. TESTER, F. THOMAS, M. WATERMAN, B. WILSON, C. YOUNKIN, G. JERGESON

AN ACT CREATING THE MONTANA AGRICULTURAL HERITAGE PROGRAM; CREATING A 12-MEMBER MONTANA AGRICULTURAL HERITAGE COMMISSION; AUTHORIZING THE STATE AND APPROVED NONPROFIT ORGANIZATIONS TO ACQUIRE AND HOLD AGRICULTURAL EASEMENTS; PROVIDING AGRICULTURAL EASEMENT ACQUISITION CRITERIA; REQUIRING NINE MEMBERS OF THE COMMISSION TO APPROVE AGRICULTURAL EASEMENT ACQUISITIONS; PROVIDING FOR PERPETUAL AND RENEWABLE TERM AGRICULTURAL EASEMENTS AND AGRICULTURAL EASEMENT ENFORCEMENT; PROVIDING THAT STATE FUNDS MAY BE USED TO PURCHASE, MONITOR, AND ENFORCE AGRICULTURAL EASEMENT AGREEMENTS; PROVIDING FOR DONATIONS, GIFTS, AND OTHER FUNDS; CREATING AN ACCOUNT IN THE STATE SPECIAL REVENUE FUND; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE.

WHEREAS, Montana has a rich heritage of family-based agricultural enterprises that foster and promote economic and cultural values, open space, diversity of wild species, and important natural and aesthetic qualities; and

WHEREAS, a diverse group of Montanans concerned about threats to the viability of the state's family-based agricultural heritage and the natural and public values sustained by that heritage convened a policy dialogue that established a set of core values and a series of principles to expand the available alternatives to preserve Montana's agricultural land and heritage; and

WHEREAS, the Legislature seeks to create a program that protects the values and principles recognized by Montanans concerned about the future viability of the state's family-based agricultural tradition and the values



Montana Legislature

Detailed Bill Information



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Bill Draft Number: LC0092

Current Bill Text

Bill Type - Number: SB 342

Fiscal Note

Short Title: Create the Montana agricultural heritage preservation program

Primary Sponsor: Don Hargrove

Bill Actions - Current Bill Progress: Became Law

Bill Action Count: 64

Action - Most Recent First	Date	Votes Yes	Votes No	Committee
Chapter Number Assigned	04/23/1999			
(S) Signed by Governor	04/22/1999			
(S) Transmitted to Governor	04/20/1999			
(H) Signed by Speaker	04/20/1999			
(C) Sent to Printing	04/19/1999			
(S) Signed by President	04/19/1999			
(S) Returned from Enrolling	04/16/1999			
(S) Sent to Enrolling	04/16/1999			
(S) 3rd Reading Passed as Amended by House	04/15/1999	45	5	
(S) Scheduled for 3rd Reading	04/15/1999			
(S) Scheduled for 3rd Reading	04/15/1999			
(S) 2nd Reading House Amendments Concurred	04/14/1999	49	0	
(S) Scheduled for 2nd Reading	04/14/1999			
(H) Returned to Senate with Amendments	04/12/1999			
(H) 3rd Reading Concurred	04/12/1999	75	24	
(H) Scheduled for 3rd Reading	04/12/1999			
(H) 2nd Reading Concurred	04/10/1999	72	28	
(H) Motion Carried	04/10/1999			
(H) Scheduled for 2nd Reading	04/10/1999			

(H) Committee Report--Bill Concurred as Amended	04/08/1999			(H) Appropriations
(C) Sent to Printing	04/08/1999			
(H) Committee Executive Action--Bill Concurred as Amended	04/07/1999	12	5	(H) Appropriations
(H) Hearing	04/07/1999			(H) Appropriations
(H) Rereferred to Committee	03/20/1999			(H) Appropriations
(H) 2nd Reading Concurred	03/20/1999	51	49	
(H) Motion Carried	03/20/1999			
(H) Scheduled for 2nd Reading	03/20/1999			
(H) Committee Report--Bill Concurred	03/13/1999			(H) Agriculture
(H) Committee Executive Action--Bill Concurred	03/12/1999	15	5	(H) Agriculture
(H) Hearing	03/09/1999			(H) Agriculture
(H) Referred to Committee	02/22/1999			(H) Agriculture
(H) First Reading	02/22/1999			
(S) Transmitted to House	02/20/1999			
(S) 3rd Reading Passed	02/20/1999	39	9	
(S) Scheduled for 3rd Reading	02/20/1999			
(S) 2nd Reading Passed	02/19/1999	39	8	
(S) Scheduled for 2nd Reading	02/19/1999			
(S) Committee Report--Bill Passed as Amended	02/16/1999			(S) Agriculture, Livestock and Irrigation
(S) Committee Executive Action--Bill Passed as Amended	02/16/1999	9	2	(S) Agriculture, Livestock and Irrigation
(S) Sponsor List Modified	02/09/1999			
(S) Hearing	02/08/1999			(S) Agriculture, Livestock and Irrigation
(S) Fiscal Note Printed	02/05/1999			
(S) Fiscal Note Signed	02/04/1999			
(S) Fiscal Note Received	02/04/1999			
(C) Introduced Bill Text Available Electronically	01/30/1999			
(S) Referred to Committee	01/30/1999			(S) Agriculture, Livestock and Irrigation
(S) First Reading	01/30/1999			
(S) Fiscal Note Requested	01/30/1999			
(S) Introduced	01/30/1999			
(C) Draft Delivered to Requester	01/27/1999			
(C) Draft Ready for Delivery	01/22/1999			

(C) Draft in Assembly/Executive Director Review	01/22/1999			
(C) Draft in Final Drafter Review	01/21/1999			
(C) Bill Draft Text Available Electronically	01/21/1999			
(C) Draft in Input/Proofing	01/21/1999			
(C) Draft to Drafter/Edit Review (CAJ)	01/21/1999			
(C) Draft in Edit	01/21/1999			
(C) Draft in Legal Review	01/20/1999			
(C) Draft Taken Off Hold	01/20/1999			
(C) Draft On Hold	01/19/1999			
(C) Draft to Requester for Review	01/12/1999			
(C) Draft On Hold	11/23/1998			
(C) Draft to Requester for Review	11/16/1998			
(C) Draft Request Received	09/23/1998			

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Sponsor, etc.

Sponsor, etc.	Last Name/Organization	First Name	Mi
Requester	Hargrove	Don	
Drafter	Higgins	Gordon	
Primary Sponsor	Hargrove	Don	

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Subjects

Description	Revenue/Approp.	Vote Majority Req.	Subject Code
Environmental Protection		Simple	ENVP
Agriculture (see also: Livestock)		Simple	AGR
Property		Simple	PROP
Planning and Development		Simple	PLDV

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